

PATENT COOPERATION TREATY

PCT

DECLARATION OF NON-ESTABLISHMENT OF INTERNATIONAL SEARCH REPORT

(PCT Article 17(2)(a), Rules 13ter.1(c) and Rule 39)

Applicant's or agent's file reference PHDE030386WO	IMPORTANT DECLARATION	Date of mailing(day/month/year) 16/02/2005
International application No. PCT/IB2004/052302	International filing date(day/month/year) 04/11/2004	(Earliest) Priority date(day/month/year) 13/11/2003
International Patent Classification (IPC) or both national classification and IPC C09K11/06, H01L51/30		
Applicant PHILIPS INTELLECTUAL PROPERTY & STANDARDS GMBH		


This International Searching Authority hereby declares, according to Article 17(2)(a), that **no international search report will be established** on the international application for the reasons indicated below

1. ☐ The subject matter of the international application relates to:
 - a. ☐ scientific theories.
 - b. ☐ mathematical theories
 - c. ☐ plant varieties.
 - d. ☐ animal varieties.
 - e. ☐ essentially biological processes for the production of plants and animals, other than microbiological processes and the products of such processes.
 - f. ☐ schemes, rules or methods of doing business.
 - g. ☐ schemes, rules or methods of performing purely mental acts.
 - h. ☐ schemes, rules or methods of playing games.
 - i. ☐ methods for treatment of the human body by surgery or therapy.
 - j. ☐ methods for treatment of the animal body by surgery or therapy.
 - k. ☐ diagnostic methods practised on the human or animal body.
 - l. ☐ mere presentations of information.
 - m. ☐ computer programs for which this International Searching Authority is not equipped to search prior art.
2. ☒ The failure of the following parts of the international application to comply with prescribed requirements prevents a meaningful search from being carried out:

☒ the description
☒ the claims
☐ the drawings
3. ☐ The failure of the nucleotide and/or amino acid sequence listing to comply with the standard provided for in Annex C of the Administrative Instructions prevents a meaningful search from being carried out:

☐ the written form has not been furnished or does not comply with the standard.
 ☐ the computer readable form has not been furnished or does not comply with the standard.
4. ☐ The failure of the tables related to the nucleotide and/or amino acid sequence listing to comply with the technical requirements provided for in Annex C-bis of the Administrative Instructions prevents a meaningful search from being carried out:

☐ the written form has not been furnished.
 ☐ the computer readable form has not been furnished or does not comply with the technical requirements.
5. Further comments:

Name and mailing address of the International Searching Authority  European Patent Office, P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk Tel. (+31-70) 340-2040, Tx. 31 651 epo nl, Fax: (+31-70) 340-3016	Authorized officer Véronique Baillou
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FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 203

The subject matter of claims 1-8 is an electroluminescent compound selected from bi-, tri-, oligo- and/or polynuclear metal complexes comprising one fully conjugated bridging ligand coordinated to at least two of the said metals. Subject matter of claims 9 and 10 are an electroluminescent device comprising the claimed compound and a lighting unit comprising the claimed device, respectively. The dependent claims 5, 7, and 8 define preferred features like ligands' nature such as hole transporting, electron transporting and bridging ligands, respectively.

The use of charge-transfer transition metal complexes in electroluminescent devices is standard procedure for the skilled person (see, for example, page 2 lines 30-31 of the current application). The application gives no specific examples of any complex which would be useful for this purpose. It merely sets out a list of particular transition metals and various ligands which might be used without giving the skilled person any teaching of how to combine these with a view to obtain any specific technical effect. In addition there is no definition of the term "fully conjugated" or indication of how such complexes are to be distinguished from those which are "not fully conjugated".

In this context the subject matter of claims 1-10 is so insufficiently disclosed in the meaning of Article 5 PCT and so unclear in terms of Article 6 PCT that it is impossible to determine the matter, for which protection is sought. In these circumstances a meaningful search is impossible to carry out and hence a declaration of no search is issued.

The applicant's attention is drawn to the fact that claims relating to inventions in respect of which no international search report has been established need not be the subject of an international preliminary examination (Rule 66.1(e) PCT). The applicant is advised that the EPO policy when acting as an International Preliminary Examining Authority is normally not to carry out a preliminary examination on matter which has not been searched. This is the case irrespective of whether or not the claims are amended following receipt of the search report or during any Chapter II procedure. If the application proceeds into the regional phase before the EPO, the applicant is reminded that a search may be carried out during examination before the EPO (see EPO Guideline C-VI, 8.5), should the problems which led to the Article 17(2) declaration be overcome.